

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Dec 18, 2020**

SEAN F. McAVOY, CLERK

ERIC R.,

v.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:20-CV-0121-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 18. Attorney David L. Lybbert represents Plaintiff; Special Assistant United States Attorney Stephen F. Dmetruk represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) will hold a *de novo* hearing and issue a new decision. The ALJ shall: (1) reevaluate the opinion evidence of record; (2) if warranted, reassess Plaintiff's maximum residual functional capacity; and (3) if warranted, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on Plaintiff's ability to perform other work in the

1 national economy. Plaintiff may present additional testimony and submit  
2 additional evidence, and the ALJ may take any further action needed to complete  
3 the administrative record.

4 2. **Judgment shall be entered for PLAINTIFF.**

5 3. Plaintiff's Motion for Summary Judgment, **ECF No. 13**, is  
6 **STRICKEN AS MOOT.**

7 4. An application for attorney fees and costs may be filed by separate  
8 motion.

9 The District Court Executive is directed to enter this Order, forward copies  
10 to counsel, and **CLOSE THE FILE.**

11 DATED December 18, 2020.



A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE